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LETTER DATED 22 SEPTEMBER 1998 FROM THE COMMITTEE OF FIVE ESTABLISHED BY THE COUNCIL OF MINISTERS OF THE ORGANIZATION OF AFRICAN UNITY AT ITS MEETING HELD IN ADDIS ABABA ON 25 JANUARY 1995, DURING ITS SIXTY-FIRST SESSION, ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL*

The Committee of Five, established by the Council of Ministers of the Organization of African Unity (OAU) at its meeting held in Addis Ababa on 25 January 1995, during its sixty-first session, and entrusted with the follow-up to the dispute between the Libyan Arab Jamahiriya, the United States of America and the United Kingdom of Great Britain and Northern Ireland over Lockerbie, wishes to express to Your Excellency its deepest appreciation. The Committee of Five refers to the recent developments in this dispute: the acceptance by the United States and the United Kingdom of the proposals submitted by regional and international organizations to hold a trial for the two suspects in a neutral country (the Netherlands) and refers also to the declarations of the OAU Summit in Ouagadougou (8-10 June 1998). The Committee of Five, having studied these recent developments during its meeting held in New York on 22 September 1998, wishes to stress that it:

1. Commends the Libyan Arab Jamahiriya for the flexibility it has demonstrated, as well as the civility and objectivity that characterized its conduct in dealing with this dispute and its acceptance of the trial of its citizens in a third neutral country, and expresses its total shock at the enormous material and moral losses suffered by the Libyan Arab Jamahiriya as a result of the sanctions imposed upon it for all that period;

2. Expresses its satisfaction with the recent acceptance by the United States and the United Kingdom of what was proposed by the regional and international organizations four years ago, and regrets the delay of this acceptance for all this time;

3. Reconfirms its continued support of the Libyan Arab Jamahiriya's position, which aims at insuring a just and fair trial for the suspects, and calls upon the United States, the United Kingdom and the

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Netherlands to enter into direct negotiations with the Libyan Arab Jamahiriya or, through the Secretary-General, to implement the initiative referred to in Security Council resolution 1192 (1998) of 27 August 1998, including the arrangements for the trial and security guarantees relating to the suspects;

4. Affirms its total solidarity and support for the legitimate Libyan demands:

(a) That an agreement be reached by all the parties guaranteeing no surrender, no transfer and no transport of the two suspects to either the United States or the United Kingdom for any reason whatsoever; and, in case of their conviction, that they serve their term in either the Netherlands or the Libyan Arab Jamahiriya;

(b) That an agreement be reached by all parties on limiting, clarifying and specifying the witnesses needed from the Libyan Arab Jamahiriya;

(c) That an agreement be reached by all parties guaranteeing the right of the suspects - legal, religious, personal, social - during all the phases of the trial, as well as their safety and security during their travel to and from the Netherlands and during their stay there;

(d) That the beginning of the trial must be the end of this dispute, for the Libyan Arab Jamahiriya has already responded to all the demands of the Security Council. The sanctions should be lifted upon the appearance of the two suspects before the trial.

The Committee of Five, in submitting the above, calls upon the Security Council to take it into consideration when dealing with this issue.

We have the honour to request that the present letter be circulated and issued as a document of the Security Council.

For: The Republic of Cameroon

For: Tunisia

For: The Republic of Zimbabwe

For: Ghana

For: The Republic of Uganda